

REMARKS

I. Introduction.

Claims 1-18 are pending, and stand rejected. Comments were made about the preamble of Claims 1 and 2. The Examiner indicated that the listing of the references in the specification is not considered to be a proper information disclosure statement. The Applicant was requested to capitalize the trademarks referred to in the specification. Claims 2-15 were objected to because of various informalities. Claims 1-18 were rejected under 35 U.S.C. Section 112, second paragraph. Claims 1-14 and 16-18 were rejected under 35 USC Section 102(b). Claims 11-15 were rejected under 35 U.S.C. Section 103. Claims 1-7, 9-11, and 13 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting.

II. The Comments Regarding the Specification.

A. The Preamble of Claims 1-2 and 5-6.

The Office Action states that the preambles of Claims 1 and 2 are not being given any patentable weight. Claims 1 and 2 have been amended to claim embodiments in which the polymer in the cleaning composition modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic. Other embodiments may be the subject of additional claims. Claims 5-6 have been canceled without prejudice.

B. The Listing of References in the Specification.

An Information Disclosure Statement will be filed to submit any references in the specification that the Applicants wish to have considered.

C. The Trademarks in the Specification.

The specification has been amended by capitalizing the trademarks and adding the appropriate generic language.

III. The Claim Objections.

A. Informalities (Claims 2-15):

Claim 2 has been amended as suggested to correct the informalities. Claim 5 has been canceled without prejudice.

B. Objection to Claim 3.

Without admitting that the grounds for objection to Claim 3 are proper, the Applicants have amended Claim 3, in order to eliminate the objections to the same.

C. Objection to Claims 4 and 6-15.

The amendment of Claim 2 should obviate the rejection of Claims 4 and 6-15.

IV. The 35 U.S.C. Section 112 Rejections.

A. The Rejection of Claims 1-18.

The Office Action states that Claims 1-18 are rejected under 35 U.S.C. Section 112, second paragraph because the phrase "less than about" in Claims 1 and 2 is said to render the claims vague and indefinite. The Office Action cites MPEP 2173.05(b) in support of the rejection.

The Applicants expressly disagree with the statement in the Office Action that claims reciting "less than about" are invalid for indefiniteness. The Applicants have searched the Delphion patent web site for the number of patents in which this phrase appears in the claims. This phrase is in the claims of over 46,600 U.S. patents. This language, therefore, has clearly been found to be sufficiently definite in the past. Further, in the present case, the Examiner has not cited any close prior art that discusses contact angles, and therefore, there is no basis for an assertion that it is unclear where the metes and bounds of the claimed subject matter lies relative to the prior art.

B. The Rejection of Claims 3 and 4.

The Applicants disagree with the rejection since it is clear from the specification what steps are required to perform the test method. Nevertheless, Claims 3 and 4 have been amended as requested to address the indefiniteness rejection.

C. The Rejection of Claim 5.

Claim 5 has been canceled without prejudice.

D. The Rejection of Claim 12.

Claim 12 has been amended to eliminate the phrase that begins with "preferably".

E. The Rejection of Claims 6-11 and 13-18.

The rejection of Claims 6-11 and 13-18 should now be obviated due to the amendments discussed above.

V. The 35 U.S.C. Section 102 Rejections.

A. The Rejection of Claims 1-10 and 16.

Claims 1-10 and 16 were rejected under 35 U.S.C. Section 102(a) as being anticipated by EP Publication 859,046 A1 published in the name of Gordon, et al.

As the Office Action acknowledges, the Gordon, et al. publication is silent with respect to modifying the surface to render it hydrophilic, providing a contact angle between water and the surface of less than about 50 degrees.

Claim 1 has been amended to specify that the claimed cleaning composition has a pH of less than 9. The Applicants respectfully request that this rejection be reconsidered and withdrawn since Gordon, et al. is directed to liquid hard surface cleaning compositions which have a pH above 9.

The Applicants also believe that there are other distinguishing properties described in the specification, thus, in other embodiments, the Applicants may not specify the pH of the claimed composition.

B. The Rejection of Claims 1-10 and 16-18.

Claims 1-10 and 16-18 were rejected under 35 U.S.C. Section 102(a) as being anticipated by EP Publication 919,610 A1 published in the name of Pace, et al.

The Examiner asserts that the GAFQUAT 755 polymer disclosed in Pace, et al. would inherently meet the 50 degree contact angle language in Claims 1-2.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Pace, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

C. The Rejection of Claims 1-10 and 12.

Claims 1-10 and 16-18 were rejected under 35 U.S.C. Section 102(a) as being anticipated by PCT Publication WO 97/33963, published in the name of Willey, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Willey, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

D. The Rejection of Claims 1-10, 12, 16, and 18.

Claims 1-10, 12, 16, and 18 were rejected under 35 U.S.C. Section 102(b) as being anticipated by PCT Publication WO 95/00611, published in the name of Fusiak, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Fusiak, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

E. The Rejection of Claims 1-10, 12, 16, and 17

Claims 1-10, 12, 16, and 17 were rejected under 35 U.S.C. Section 102(a) as being anticipated by U.S. Patent 4,368,146 issued to Aronson, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Aronson, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

F. The Rejection of Claims 1-14.

Claims 1-14 were rejected under 35 U.S.C. Section 102(b) as being anticipated by PCT Publication WO 95/00611, published in the name of Fusiak, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Fusiak, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

VI. The 35 U.S.C. Section 103 Rejections.

A. The Rejection of Claims 1-15.

Claims 1-10 and 16 were rejected under 35 U.S.C. Section 103(a) as being anticipated by EP Publication 859,046 A1 published in the name of Gordon, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since, as noted above Gordon, et al. is directed to liquid hard surface cleaning compositions which have a pH above 9.

B. The Rejection of Claims 11-12.

Claims 11 and 12 were rejected under 35 U.S.C. Section 103(a) as being anticipated by EP Publication 919,610 A1 published in the name of Pace, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn since Pace, et al. does not teach or disclose a cleaning composition for cleaning the exterior surfaces of a vehicle which modifies at least a portion of an exterior surface of a vehicle to render it hydrophilic, providing a contact angle between water and the surface of less than about 50°.

VII. The Double Patenting Rejection.

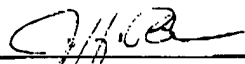
The Applicants will consider submitting a terminal disclaimer herein to obviate the double patenting rejection when allowable subject matter is indicated.

VIII. Summary.

All of the objections and rejections have been addressed. A Notice of Allowance is respectfully requested.

Respectfully submitted,
JAN BERTREM, ET AL.

By



Jeffrey V. Bamber
Attorney for Applicant(s)
Registration No. 31,148
(513) 627-4597

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